

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2091 – SB 2023

April 11, 2016

SUMMARY OF ORIGINAL BILL: Requires the Tennessee Bureau of Investigation (TBI) to investigate all officer-involved shootings. Requires the TBI to submit a report of its findings to the district attorney general of the county in which the shooting occurred and to the Attorney General and Reporter (Attorney General).

Defines “officer-involved shooting” as a shooting of a person by a law enforcement officer while the officer is on duty or while the officer is off duty but performing activities that are within the scope of the officer’s duties and that results in the death or critical injury of the person.

Increases, from \$25,000 to \$100,000, the death benefit for a law enforcement officer who is killed in the line of duty.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$300,000/Death Benefit Fund

SUMMARY OF AMENDMENT (015675): Deletes all language after the enacting clause and rewrites the bill to (1) increase, from \$25,000 to \$100,000, the death benefit for a law enforcement officer who is killed in the line of duty, and (2) requires the TBI’s investigative report to be disclosed to the public after the district attorney general has completed its prosecutorial function.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The bill as amended requires the TBI to investigate all officer-involved shootings. It is assumed that the TBI can handle any impact within their existing resources.
- The bill as amended increases the death benefit for law enforcement officers to \$100,000. The current death benefit for law enforcement officers is \$25,000. These

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benefits are paid by the Department of Commerce and Insurance (Commerce and Insurance) from the Death Benefit Fund.

- According to Commerce and Insurance, the current budget of the Peace Officer Standards Commission (POST) includes death benefit amounts for four law enforcement officers' benefits per year, for a total of \$100,000 (4 officers x \$25,000).
- Statistics from Commerce and Insurance indicate 21 officers over the past five years were killed in the line of duty, or approximately 4 per year ($21 / 5 = 4.2$).
- The bill as amended will result in a recurring increase in state expenditures from the Death Benefit Fund by \$75,000 per benefit (\$100,000 – \$25,000). The total recurring increase in state expenditures from the Death Benefit Fund is estimated to be \$300,000 (\$75,000 x 4 benefits per year).

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm